## **UTILITY PATENT APPLICATION TRANSMITTAL** (Small Entity)

Docket No. 135/42

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages in this Submission

### TO THE COMMISSIONER FOR PATENTS

**Mail Stop Patent Application** P.O. Box 1450 Alexandria, VA 22313-1450

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ransmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an	ž
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							Applicatio	n Elements		
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2.	X	Spe	cifica	ition I	naving		29	_ pages and ir	ncluding the following:	,
	a.	X	Des	cripti	ve Title of the	Inve	ention			
	b.	X	Cros	ss Re	ferences to F	Relat	ed Applications	(if applicable)		
	C.		State	emer	nt Regarding	Fede	erally-sponsored	d Research/De	velopment <i>(if applicable)</i>	
	d.		Refe	erenc	e to Sequenc	e Lis	sting, a Table, c	r a Computer I	Program Listing Appendix	
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### Application Elements (Continued) 3. Drawing(s) (when necessary as prescribed by 35 USC 113) a. 🛛 Formal Number of Sheets b. 🔲 Informal Number of Sheets Oath or Declaration a. 🛛 Newly executed (original or copy) Unexecuted b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only) c. 🛛 With Power of Attorney ☐ Without Power of Attorney DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). 5. Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix) 7. Application Data Sheet (See 37 CFR 1.76) □ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included) a. Computer Readable Form (CFR) i. CD-ROM or CD-R (2 copies); or ii. 🔲 Paper c. Statement(s) Verifying Identical Paper and Computer Readable Copy **Accompanying Application Parts** 9. Assignment Papers (cover sheet & document(s)) 10. 37 CFR 3.73(B) Statement (when there is an assignee) 12. Information Disclosure Statement/PTO-1449 Copies of IDS Citations 13. Preliminary Amendment 14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 16. Certificate of Mailing ☐ First Class ☐ Express Mail (Specify Label No.):

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	Accompanying Application Parts (Continued)								
17.	X	Applicant claims small entity status. See 37 CFR 1.27.							
		☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted:							
18.		Additional Enclosures (please identify below):							
10.	_	Additional Enclosures (please identity below).							
		Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)							
19.	X	Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.							
	Warning								
		An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.							

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#### Fee Calculation and Transmittal

#### **CLAIMS AS FILED** For #Filed #Allowed #Extra Fee Rate **Total Claims** 23 - 20 = 3 \$27.00 \$9.00 Indep. Claims 3 - 3 = 0 \$43.00 \$0.00 х Multiple Dependent Claims (check if applicable) \$0.00 **BASIC FEE** \$385.00 OTHER FEE (specify purpose) \$0.00 **TOTAL FILING FEE** \$412.00 A check in the amount of \$412.00 to cover the filing fee is enclosed. Mark The Director is hereby authorized to charge and credit Deposit Account No. 01-3022

as described below.

☐ Charge the amount of

as filing fee.

☑ Credit any overpayment.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance,

pursuant to 37 C.F.R. 1.311(b).

Dated: April 9, 2004

Signature

Kenneth L. Green Averill & Varn 8244 Painter Ave. Whittier, CA 90602 562/698-8039

CC: